

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 14, 1999

DIVISION ONE

B126145 VSP Management, Inc.
v.
Pacific Rim Assurance Co.

Filed order modifying opinion & request for publication is granted. (No change in the judgment)

DIVISION TWO

B119138 Carrera (Not for Publication)
v.
Holmes-Hally Industries

The judgment is affirmed. Each side to bear its own costs on appeal.

Zebrowski, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

B119857 People (Not for Publication)
v.
Briscoe

The Court:

The judgment (order granting probation) is affirmed.

Boren, P.J., Zebrowski, J., Mallano, J. (Assigned)

April 14, 1999-Continued

DIVISION TWO (Continued)

B120625 People (Not for Publication)
v.
Young

The Court:

The judgment is modified to reflect 174 days of presentence conduct credit rather than the 52 days previously awarded, and to reflect a total of 523 days of presentence credit. The judgment is further modified to reflect a \$50 laboratory analysis fee pursuant to Health and Safety Code section 11372.5 and a \$35 county penalty assessment pursuant to Government Code section 76000. The superior court is directed to issue an amended abstract of judgment reflecting the modified award of presentence credits and reflecting these levies, as well as the \$200 parole revocation fine imposed pursuant to Penal Code section 1202.45. In all other respects, the judgment is affirmed.

Nott, Acting P.J., Zebrowski, J., Mallano, J. (Assigned)

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Petersen, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B118296 Wiedmann v. Sonnenschein, Nath & Rosenthal, et al.
B113958/B115358 Freeman v. Beadles
B109577 Pagan v. Pagan
B117772 People v. Nguyen
B122002 People v. Chavez, et al.
B122373 People v. Knopf
B119470 People v. Bryant
B111291 People v. Abalos
B121876 People v. Rodriguez
B129503 Lisa M. v. S.C.L.A.
B120362 People v. Blackburn
B116505 People v. Galindo

DIVISION THREE (Continued)

Each of the following (cont.):

B125534 County of L.A. v. La'Tesha H.

B125874 County of L.A. v. Mildred C.

Argument waived, cause submitted.

B121447 California School Employees Association
v.
Long Beach Community College District

Merits:

Argued by Karen L. Hartman for appellant and by Spencer E. Covert for respondent. Cause submitted.

B116450 Spray, Gould & Bowers
v.
Associated International Insurance Company

Merits:

Argued by Steven B. Stevens for appellant and by William I. Chertok for respondent. Cause submitted.

B118323 Estate of William Randolph Hearst
v.
William R. Hearst

Merits:

Argued by John Sturgeon for appellant and by Andrew S. Garb and Frank Rothman for respondents. Cause submitted.

B111652 Layne
v.
Lockheed Martin Corporation, et al.

Merits:

Argued by Jonathan M. Gordon for appellant and by Jerome B. Falk, Jr., for respondents. Cause submitted.

The Court recessed at 11:50 A.M.

DIVISION THREE (Continued)

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B117550 Cerritos Valley Bank
 v.
 Fidelity National Title Insurance Company

Merits:

Argued by Arthur Jarvis Cohen for appellant and by Stephen Anderson for respondent. Cause submitted.

B118672 People
 v.
 Badwi

Merits:

Argued by Robert E. Boyce for appellant and by Joseph P. Lee, deputy attorney general for respondent. Cause submitted.

B114620 Steller
 v.
 Crystal Cruises

Merits:

Argued by William G. Lewis for appellant and by Walter Johnson for respondent. Cause submitted.

B121209 Mez Industries, Inc.
 v.
 Pacific National Insurance Company

Merits:

Argued by David A. Gauntlett for appellant and by Bryan M. Weiss for respondent. Supplemental letter briefs due by April 26, 1999. Submission deferred.

April 14, 1999-Continued

DIVISION THREE (Continued)

B121384 Blum
v.
Republic Bank

Merits:
Argued by B. Daniel Lynch for appellant. Argument waived by respondent.
Cause submitted.

B116964 Home Savings of America
v.
Markoff

Merits:
Argued by Norris J. Bishton, Jr., for appellant and by Patricia M. Snyder for respondent. Appellant's supplemental brief due by April 21, 1999, response due by April 28, 1999. Submission deferred.

The Court adjourned at 4:05 P.M.

DIVISION FIVE

B124361 People (Not for Publication)
v.
James Frazier

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

April 14, 1999-Continued

DIVISION FIVE (Continued)

B112385 People (Not for Publication)
B125354 v.
Andrei Belei

The judgment is modified to reflect presentence custody credit of 1,383 days comprised of credit for 923 days in actual custody, plus 460 days of good conduct credit. In all other respects, the judgment is affirmed. Petition for habeas corpus is denied.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B120868 G & L Realty Corp. (Not for Publication)
v.
Mel Bircoll

The judgment is affirmed. Defendant, Mel Bircoll, M.D., is to recover his costs on appeal from plaintiff, G & L Realty Corp.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

B126074 Los Angeles County, D.C.S. (Not for Publication)
v.
Lisa A.
In re Christopher T.

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Armstrong, J.

April 14, 1999-Continued

DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

B124673 Chase Manhattan Bank v. Bagdasarian

Argument continued to May, 1999, calendar.

B121788 Balloni
v.
Ziliotto

Merits:

Argued by Steven C. Von Dollen for appellant and by John C. Lauritsen for respondent. Cause submitted.

B122791 Feller
v.
Didio

Merits:

Yegan, J. disclosed that he is a distant relative of Mr. Karabian, Esq. and counsel had no objection to Yegan, J. participating or authoring in this matter. Argued by David E. Kenney for appellant and by Anson M. Whitfield for respondent. Cause submitted.

Burke, J. (Assigned) leaves the bench.

B117601 Vassallo
v.
Keller

Merits:

Argued by Robert O. Angle for appellant and by Brian H. Clausen for respondent. Cause submitted.

DIVISION SIX (Continued)

B121787 Mortilla
 v.
 Regents of the University of California

Merits:
Argued by Darla R. Anderson for appellant and by J. Terry Schwartz for respondent. Cause submitted.

B125700 Dain
 v.
 Ventura County

Merits:
Argued by Patrick Dain, appellant appearing in propria persona, and by Jeffrey Held for respondent. Cause submitted.

B119699 Jensen
 v.
 Greater Valley Medical Group, Inc.

Merits:
Argued by L. M. Schulner for appellant and by Sandra J. Smith for respondent. Cause submitted.

B118911 Chastain
 v.
 Sorg

Merits:
Argued by John F. Hodges for appellant and by Paul G. Metchik for respondent. Cause submitted.

DIVISION SIX (Continued)

B120105 Propac Equipment Systems, Inc.
 v.
 Oxnard Lemon Co.

Merits:

Argued by Gabriele Mezger-Laschly for appellant Mendez; by Howard Cho for appellant and cross-respondent Propac Equipment Systems, Inc.; by John E. Bower for respondent Brogdex Co.; and by Brenda L. McCormick for respondent and cross-appellant Oxnard Lemon Co. Cause submitted.

Court recessed at 11:42 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Burke, J. (Assigned), and G. Bents, Deputy Clerk.

B129133 Debbie C. & Wade C. v. San Luis Obispo Co. Superior Court

Argument waived, cause submitted.

B123034 Hisel
 v.
 Estate of Hisel

Merits:

Argued by Randolph Joyce for appellant and argument waived by respondent pursuant to Rule 17(b), Calif. Rules of Court. Cause submitted.

B123217 Dahmen
 v.
 Richards

Merits:

Argued by Joan Hewitt for appellant and by Richard D. Keppleman for respondent. Cause submitted.

DIVISION SIX (Continued)

B123603 Cappello, Folley & Bezek
 v.
 Agri-Cal, Inc.

Merits:
Argued by Kim A. Seefeld for appellant and by E. Patrick Morris for
respondent. Cause submitted.

B122437 Johnson
 v.
 City of Arroyo Grande

Merits:
Argued by Burtram Johnson, appellant appearing in propria persona, and by
Margaret A. Thurn for respondent. Cause submitted.

Gilbert, Acting P.J. leaves the bench.

B125143 Kates
 v.
 Department of Motor Vehicles

Merits:
Argued by Ronald A. Jackson for appellant and by Mathew D. Botting,
Deputy Attorney General, for respondent. Cause submitted.

Court adjourned at 2:55 P.M.